

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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MICHAEL BIRCHETT, JR., et al.,

Plaintiffs,

v.

Case No. 07-CV-12939-DT

APARTMENT INVESTMENT AND  
MANAGEMENT COMPANY, et al.,

Defendants.

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**ORDER DISMISSING PLAINTIFF SHAWN FLEMING FOR LACK OF PROSECUTION**

On November 7, 2008, the court entered an order directing Plaintiff Shawn Fleming to show cause why his case should not be dismissed for lack of prosecution. Specifically, the court noted Plaintiff Fleming's serial failure to stay in reasonable communication with this court as well as with opposing counsel. The November 7, 2008 order was returned to the court as undeliverable due to Plaintiff's failure to provide a current address to this court. Plaintiff has not contacted the court to respond to the court's order to show cause, update his address, or otherwise pursue his claims. Accordingly,

IT IS ORDERED that Plaintiff Shawn Fleming is DISMISSED for lack of prosecution. See E.D. Mich. LR 41.2.

S/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: November 26, 2008

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, November 26, 2008, by electronic and/or ordinary mail.

S/Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522